

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

jc841 U.S. PTO

09/766522



In The Matter of Patent Application:

Applicant : OBAYAN, Adebola; JUURLINK, Bernhard
Serial No. : Unknown
Filing Date : January 19, 2001
Title : RAPID ASSAY FOR TESTING OVERALL OXIDATIVE STRESS
Examiner : Unknown
Art Unit: : Unknown

Assistant Commissioner for Patents
Washington, DC 20231
BOX NEW APPLICATION

Dear Sir:

PETITION UNDER 37 CFR 1.84

The applicant requests that the Patent and Trade-Mark Office accept color Figure 4 in this patent application.

CERTIFICATION UNDER 37 C.F.R. § 1.10

hereby certify that this Petition and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date January 19, 2001 in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EL 765220999US addressed to: BOX PATENT APPLICATION, Assistant Commissioner for Patents, Washington, DC 20231.

Dated: January 19, 2001


Peter DeLuca

The application teaches an assay which, in certain embodiments, relies on the formation of a colored product as a measure of oxidant levels.

In one embodiment of the invention there is provided a home kit wherein the subject assesses oxidant levels by visually assessing colored reaction products.

The applicant submits that color Figure 4 is the only practical medium by which to disclose the aspect of the invention directed to a visually assessed home kit method for assessing oxidant levels. In particular, it is instructive when considering this aspect of the invention to observe the color intensity obtained in this aspect of the invention. Such color intensity would not readily be evident in a black and white depiction of the subject matter of Figure 4.

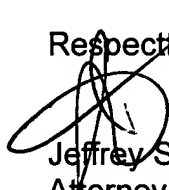
In light of the forgoing, the applicant submits that it is appropriate that the Patent and Trade-Mark Office accept color Figure 4 for filing in respect of this patent application.

The Petition Fee required under 37 C.F.R. §1.84 is enclosed by check (\$130.00).

Three (3) copies of Figure 4 are enclosed with this Petition.

If any additional charge comes due or if there has been any overpayment in connection with the present Petition, authorization is hereby given to charge or credit deposit account no. 04-1121. A duplicate copy of this Petition is attached.

Respectfully Submitted,



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